

HOUSE BILL 1098

By Durham

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 4, Part 1 and Title 68, relative to motor
vehicle inspection requirements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-130, is amended by adding the
following as a new subsection:

(h)

(1) Any motor vehicles required to undergo testing pursuant to § 55-4-101(d)(2), § 55-4-104(d)(2) or § 55-6-105(a)(9) that are three (3) or less model-years old shall be exempt from such motor vehicle inspection requirements.

(2) In order to receive the exemption set out in subdivision (h)(1), the person seeking the exemption shall pay a smog abatement fee in the amount of ten dollars (\$10.00) to the county clerk at the time that such person registers or renews registration of the motor vehicle for which the exemption is sought. The fee shall be paid annually upon renewal of the registration for each year that the exemption is requested. In the event that the smog abatement fee is paid in conjunction with a request for exemption made for a registration year during which the motor vehicle is no longer eligible for the exemption, the clerk shall refund the fee to the applicant.

(3) Notwithstanding subdivision (a)(2), the proceeds of any smog abatement fee that is collected pursuant to subdivision (h)(2) shall be allocated by the department of environment and conservation, division of air pollution control or a county just as the emission testing fee is allocated prior to the effective date of this act, including, but not limited to, a percentage of the fee

being allocated to any vendor providing emission testing on behalf of the department or a local government.

SECTION 2. The commissioner of environment and conservation, is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, and shall apply to any registration or renewal made on or after January 1, 2014, the public welfare requiring it.